

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VINCENT L. MOORE,

Petitioner,

v.

Case No. 2:15-cv-13319

District Judge James G. Carr

Magistrate Judge Kimberly G. Altman

THOMAS MACKIE,

Respondent.

_____ /

ORDER OF DISQUALIFICATION

This is a habeas case under 28 U.S.C. § 2254. Petitioner is a state prisoner. The state court judge who presided over Petitioner's trial is now a district judge in this district. The district judge to whom the case was originally assigned entered an order of disqualification, and the case was reassigned to another district judge in this district. *See* ECF No. 2. The case was later reassigned to a district judge in another district, Judge Carr, to sit by designation under 28 U.S.C. § 292(b).¹ *See* ECF No. 14.

¹ 28 U.S.C. § 292(b) provides: "The chief judge of a circuit may, in the public interest, designate and assign temporarily any district judge of the circuit to hold a district court in any district within the circuit."

The undersigned was reassigned as the magistrate judge by text only order dated February 22, 2021. Judge Carr subsequently issued an order directing the undersigned to prepare a report and recommendation. *See* ECF No. 27.

Under 28 U.S.C. § 455(a), “[a]ny justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.”

The undersigned believes that disqualification is warranted under § 455(a) and accordingly disqualifies herself from this case.

SO ORDERED.

Dated: March 3, 2021
Detroit, Michigan

s/Kimberly G. Altman
KIMBERLY G. ALTMAN
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court’s ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 3, 2021.

s/Marie E. Verlinde
MARIE E. VERLINDE
Case Manager